

PASSED: August 10, 2020
BY: Wolf

ORDINANCE NO. 2020-12

ORDINANCE APPOINTING ANDREW KAAKE AS THE SOLICITOR FOR THE
VILLAGE AND DECLARING AN EMERGENCY

WHEREAS, the Village Charter dictates that Council appoint a Solicitor to serve as the legal representative of the Village for a term of two years;

WHEREAS, the Village's current Solicitor, Kevin McDonough of Wood + Lamping LLP, has informed the Village that he is leaving his position with Wood + Lamping and will no longer be able to serve as the Village's Solicitor;

WHEREAS, Wood + Lamping has offered to provide the services of Andrew R. Kaake as Solicitor for the Village to replace the previous Solicitor, and the Village wishes to engage Mr. Kaake in that capacity;

NOW, THEREFORE, BE IT ORDAINED BY THE Council of Amberley Village, State of Ohio, six (6) members elected thereto concurring:

SECTION 1: That effective August 1, 2020, Andrew Kaake, on behalf of the law firm of Wood + Lamping LLP, is hereby appointed as legal counsel for the Village, to handle and oversee all legal work performed on behalf of the Village, and shall bear the title of "Solicitor of Amberley Village," except as provided in Section 4 herein. The appointment shall be for the term of Council.

SECTION 2: Andrew Kaake shall be the legal advisor of and attorney and counsel for the Village and for all the officers and departments thereof in all matters relating to their official duties; and shall when requested, give legal opinions in writing. He shall represent the Municipality in all litigation to which it may be a party, except as to litigation in which representation is provided by legal counsel for an insurance company providing coverage for the Village, or in litigation or any other matters in which Council determines that special legal counsel should be employed and except as to prosecution of all offenses against the ordinances of the Village and all offenses against the State of Ohio. Andrew Kaake shall perform all duties of a legal nature imposed by any measure of Council or imposed upon the chief legal officers of municipalities by applicable general law.

SECTION 3: Compensation for all legal work performed for the Village by Andrew Kaake or any attorney assigned by him to so perform shall be compensated as follows: Compensation for legal services except for matters involving litigation or administrative appeals shall be calculated at the rate of \$160 per hour. Compensation for litigation or administrative appeals shall be at the rate of \$190 per hour. Charges for such work plus costs and expenses, excluding mileage, advanced on behalf of the

Village shall be invoiced monthly, with payment due upon receipt of such invoices.

SECTION 4: All offenses against the ordinances of the Village, and all offenses against the laws of the State of Ohio which are prosecuted in Mayor’s Court and those transferred to or appealed to Hamilton County Municipal Court, may and shall be prosecuted by Stacy B. Lefton, Esq., or where it becomes necessary because of a conflict, by an attorney licensed to practice law in the state of Ohio who is assigned by Stacy B. Lefton, Esq., to prosecute said offense.

SECTION 5: Stacy B. Lefton, Esq., or any attorney assigned by her to perform shall be compensated at \$350 per Court and an hourly rate of \$150 per hour for County cases. Charges for such work shall be invoiced monthly, with payment due upon receipt of such invoices.

SECTION 6: This Ordinance is hereby declared an emergency measure necessary of the immediate preservation of the public peace, health and safety, and it shall go into effect forthwith. The reason for such emergency is the necessity of maintaining continuity of legal representation for the Village. Upon the affirmative vote of two-thirds (2/3) of all members elected to Council, this Ordinance shall go into immediate force and effect without delay. Passed this 10th day of August, 2020.

Mayor Thomas C. Muething

Attest:

Tammy Reasoner, Clerk of Council

Ordinance Vote:

Moved: Wolf Seconded: Conway

Muething	Aye
Wolf	Aye
Conway	Aye
Hattenbach	Aye
Kamine	Aye
Warren	Aye

I, Clerk of Council of Amberley Village, Ohio, certify that on the ____ day of _____, 2020, the foregoing Ordinance was published pursuant to Article IX of the Home Rule Charter by posting true copies of said Ordinance at all of the places of public notice as designed by Sec. 31.40(B), Code of Ordinances.

Tammy Reasoner, Clerk of Council